

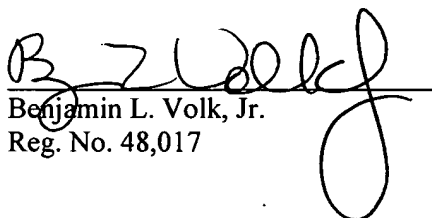


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING

I certify that the documents referred to as enclosed herein are being deposited with the U.S. Postal Service as First Class Mail under 37 C.F.R. 1.8 on May 13, 2003, and are addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.


Benjamin L. Volk, Jr.
Reg. No. 48,017

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In re application of:
Goldstein et al.

Serial No.: 09/935,510

Filed: August 23, 2001

For: Hearing Aids Based On Models Of
Cochlear Compression Using Adaptive
Compression Thresholds

Examiner: B. Pendleton

Group Art Unit: 2644

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

REQUEST FOR RECONSIDERATION OF EXAMINATION SCHEDULE

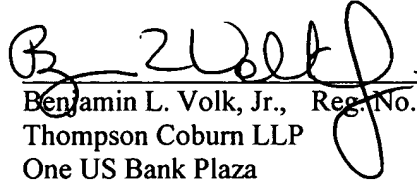
Applicant received a letter dated May 5, 2003, from the Customer Service Office, a copy of which is enclosed, indicating that it will be more than 15 months until the Technology Center assigned to the examination of this patent application will issue its first Office Action. This letter further suggests that Applicant may wish to investigate whether a Petition to Make Special would be appropriate.

Please note that Applicant has already filed the Petition to Make Special on the basis of Applicant's age. This petition was granted February 19, 2002 (copy enclosed).

Given that it has been over a year since the expedited prosecution petition was granted and almost one year and nine months since the application's filing date, Applicant respectfully requests reconsideration of the examination schedule. It is Applicant's belief that a wait of over two years from

the grant date of a Petition to Make Special and three years from the application's filing date fails to correlate with the USPTO guidelines for expedited prosecution found in MPEP §708 et seq.

Respectfully submitted,


Benjamin L. Volk, Jr., Reg. No. 48,017
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United States Patent And Trademark Office

Commissioner For Patents
United States Patent And Trademark Office
Washington, D.C. 20231
www.uspto.gov

Date: 5/5/03

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SUITE 3500
ST LOUIS MO 63101

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To: Applicant of Serial Number 09935510

We currently project that it will be more than 15 months before this application will receive a first office action. This is because the application is classified in a technology that has experienced a large filing rate growth over the last few years. The Office is addressing the growth by adjusting examination resources accordingly. You may wish to consult the MPEP (708.02) to see if filing a petition to make special is appropriate.

Customer Service Office in Technology Center:

Phone Number: 703-306-0377

FAX Number: 703-872-9314

Applicant/Attorney Contact Information:

Telephone: (314)552-6000

Fax: No Fax #

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DECISION ON PETITION TO MAKE SPECIAL
Technology Center 2600

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In re Application of:
Goldstein
Application No.: 09/935,510
Filed: August 23, 2001
For: HEARING AIDS BASED ON
MODELS OF COCHLEAR COMPRESSION
USING ADAPTIVE COMPRESSION
THRESHOLDS

This is a decision on the petition under 37 C.F.R. § 1.102 (c), filed December 10, 2001 to make the above-identified application special.

Petitioner requests that the above-identified application be made special under the accelerated examination procedure set forth in M.P.E.P. § 708.02, Section IV: Applicant's Age.

A grantable petition to make special under 37 C.F.R. § 1.102 and in accordance with M.P.E.P. § 708.02, IV must include a showing, as by a birth certificate or the applicant's statement that the applicant is sixty five (65) years of age or more. No fee is required for this petition.

The petition includes a birth certificate, Julius L. Goldstein, showing that applicant is sixty five (65) years of age or more.

Accordingly, the petition is **GRANTED**.

The application will retain its special status throughout its entire prosecution, including any appeal to the Board of Patent Appeals and Interferences, subject only to diligent prosecution by the applicant.

The application file will be forwarded to the examiner for expedited prosecution.

Krista Zele
Krista Zele
Special Program Examiner
Technology Center 2600
Communications

Action: *Foreign Filing*
DOCKETED / TC
Due Date: *23 Aug 2002*
By: *[Signature]*
2d Check: _____